

**U.S. Department of the Interior  
Bureau of Land Management  
Royal Gorge Field Office  
3028 E. Main Street  
Canon City, CO 81212**

## **ENVIRONMENTAL ASSESSMENT**

NUMBER: DOI-BLM-CO-200-2009-0023 EA

CASEFILE/PROJECT NUMBER: Grazing Record No. 0505671

PROJECT NAME: Range – Grazing Permit Renewal for Midland Hill Allotment #05871

PLANNING UNIT: Arkansas River #1

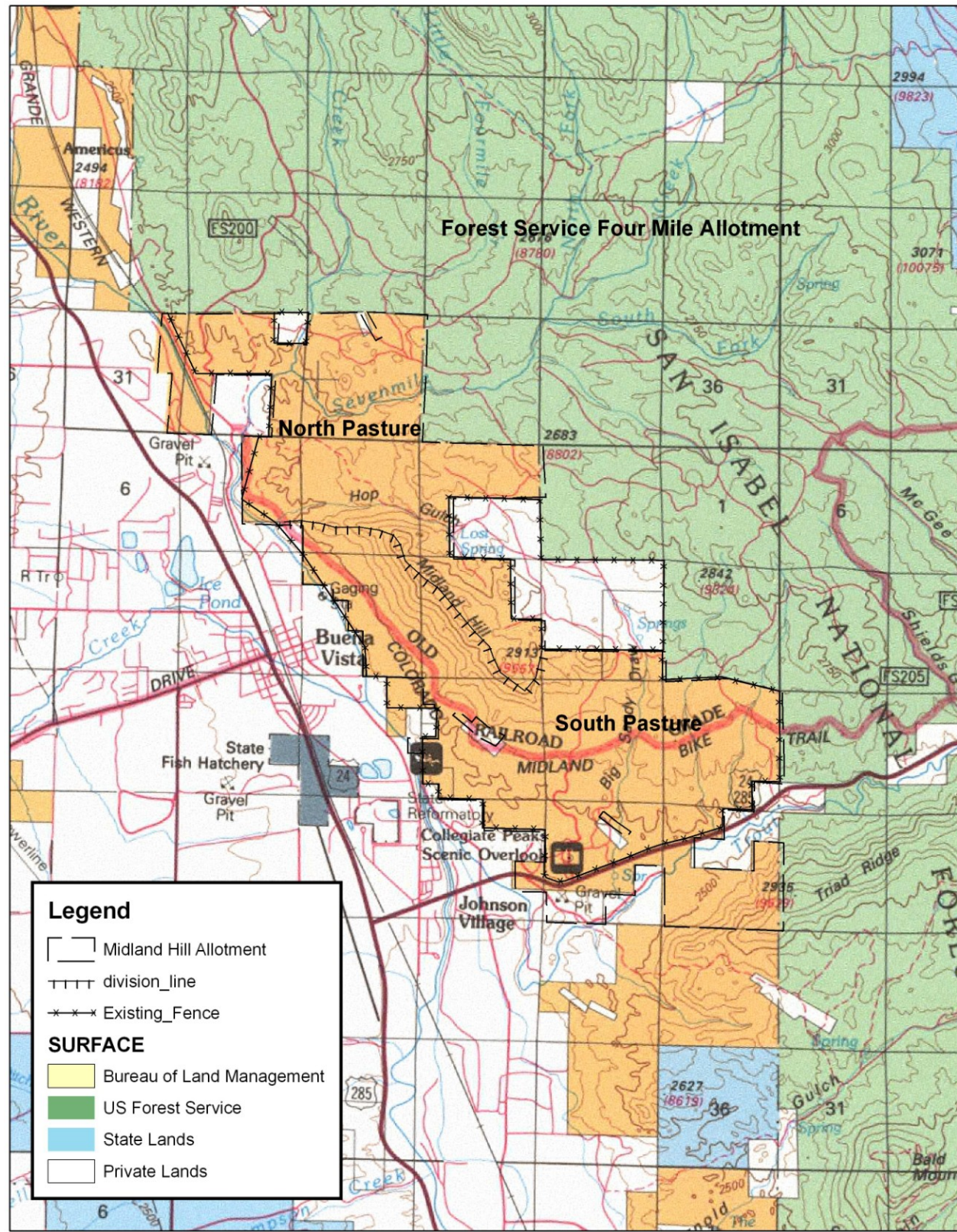
LEGAL DESCRIPTION: T13S, R78W, S. 31, 32, & 33  
T14S, R78W, S. 3-5, 9-11, 13-16, 23 & 24.

APPLICANT: Rand L. Sailor

ISSUES AND CONCERNS: BLM has solicited public involvement in the evaluation of grazing use on this allotment in 2006. There were no issues or concerns related to livestock grazing brought up as a result of this scoping process. In support of this action, during the summer of 2007, the Royal Gorge Field Office conducted a Public Land Health Assessment within the Midland Hill Allotment. The results of this assessment did not identify any new issues or concerns related to livestock grazing.

NEED FOR THE ACTION: This assessment analyzes livestock grazing use on the Midland Hill Allotment #05871 in Chaffee County, Colorado. This analysis is needed to complete processing the renewal of the grazing permit in compliance with all applicable laws and regulations. The proposed action is needed to ensure that grazing use helps the allotment meet Standards for Public Land Health and future grazing use on the allotment is consistent with Guidelines for Livestock Grazing Management in Colorado.

In addition, the boundary between the North Pasture of the BLM Midland Hill Allotment and the adjacent Forest Service Four Mile C&H Allotment is unfenced and the two allotments are grazed together. The Forest Service has recently modified grazing use on the Four Mile C&H allotment through the Term Grazing Permit Renewal process. There is a need to analyze grazing use on the Midland Hill Allotment as a result to this change.



Background/Introduction: Grazing use on the Midland Hill Allotment is currently managed as an “T” category allotment and scheduled as follows:

<u>Pasture</u>	<u>Number</u>	<u>Kind</u>	<u>Grazing Period</u> <u>Begin</u> <u>End</u>	<u>% Public</u> <u>Land</u>	<u>AUMs</u>
Odd Years					
North Pasture	69	Cattle	04/01 – 06/30	100	206
Even Years					
South Pasture	69	Cattle	04/01 – 06/30	100	206

Existing Terms and Conditions:

During “Odd Years” the North Pasture is grazed while the South Pasture is rested, and during “Even Years” the South Pasture is grazed while the North Pasture is rested.

The utilization levels on the allotment is limited to 60 – 80% on all herbaceous vegetation and 60% on shrubs.

Allotment Summary (AUMs)			
Authorized Livestock Grazing Use			
	<u>Active</u>	<u>Suspended</u>	<u>Total</u>
Midland Hill	206	0	206

As stated above, the property boundary between the Forest Service Four Mile C&H Allotment and the BLM North Pasture of the Midland Hill Allotment is unfenced and the two allotments are generally grazed together by one operator. The unfenced portion between the two allotments is approximately 4.5 miles and consists of three major roads that cross the boundary line. The Forest Service has modified the season of use on the Four Mile C&H Allotment from a summer season of use (June – August) to a winter season consisting of November 15 through March 31. The new season of use on the Forest Service Four Mile Allotment does not coincide with the existing use on the BLM Midland Hill Allotment. The applicant holds grazing leases on both allotments and wishes to graze them both as one unit during the same time.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Three alternatives are analyzed in this assessment:

1. **Proposed Action:** Renew livestock grazing authorization on the allotment with changes to the grazing schedule.
2. **No Action Alternative:** Renew livestock grazing authorization on the allotment with no changes to the grazing schedule.
3. **No Grazing Alternative:** This action would be not to authorize livestock grazing on the allotment.

**Proposed Action:** The grazing schedule for the North Pasture of the Midland Hill Allotment #05871 would be changed to match the changes conducted on the Forest Service Allotment. The

South BLM Pasture would remain as an isolated pasture with its own season of use. The change would include new terms and conditions, and an adjustment in the percent public land. Under this alternative, no new fencing along the Forest / BLM boundary would be required since livestock use would be integrated with the Forest Service Allotment. The Midland Hill grazing permit would be renewed for ten years, continue to be managed at the “Improve” category level, and include the following grazing schedule:

<u>Pasture</u>	<u>Number</u>	<u>Kind</u>	<u>Grazing Period</u>		<u>% Public Land</u>	<u>AUMs</u>
			<u>Begin</u>	<u>End</u>		
North	50	Cattle	11/15	03/31	25	57
South	50	Cattle	04/01	05/31	100	100

The following new terms and conditions would be included with the permit:

1. Maximum utilization levels on upland grass species within the North Pasture will be limited to 80% of the previous years annual forage growth. Maximum utilization levels on upland grass species within the South Pasture will be limited to 60% of the current years growth. Maximum utilization levels on riparian vegetation in both pastures will be limited to 60% of the riparian grass, willow’s and cottonwoods. If grazing use reaches these levels, livestock will be removed.
2. Through prior approval from BLM, the permittee will have the flexibility to adjust grazing dates by +/- 2 weeks as long as the total grazing use does not exceed the estimated carrying capacity of the public land.
3. Salt, mineral, and protein tub locations will be located at least ¼ mile from any water source and re-located every two weeks. Emergency feeding of weed free certified hay will be allowed on public land if conditions warrant and within areas agreed to by BLM prior to turn out.
4. The permittee and all persons associated with the allotment operations shall not damage, destroy, remove, move or disturb any objects or sites of cultural, paleontological or scientific value, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils and artifacts. If in connection with allotment operations under this authorization any of the above resources are encountered, the permittee shall protect such resources and immediately notify the BLM authorized officer of the findings.
5. This Grazing Permit has been fully processed in accordance with all applicable laws and regulations. The grazing schedule complies with Guidelines for Grazing Management in Colorado and is designed to help the public land achieve the Standards for Public Land Health. **In the event that the proposed grazing schedule fails to help public land achieve the Standards for Public Land Health, grazing use on this allotment may be revised at any time.**

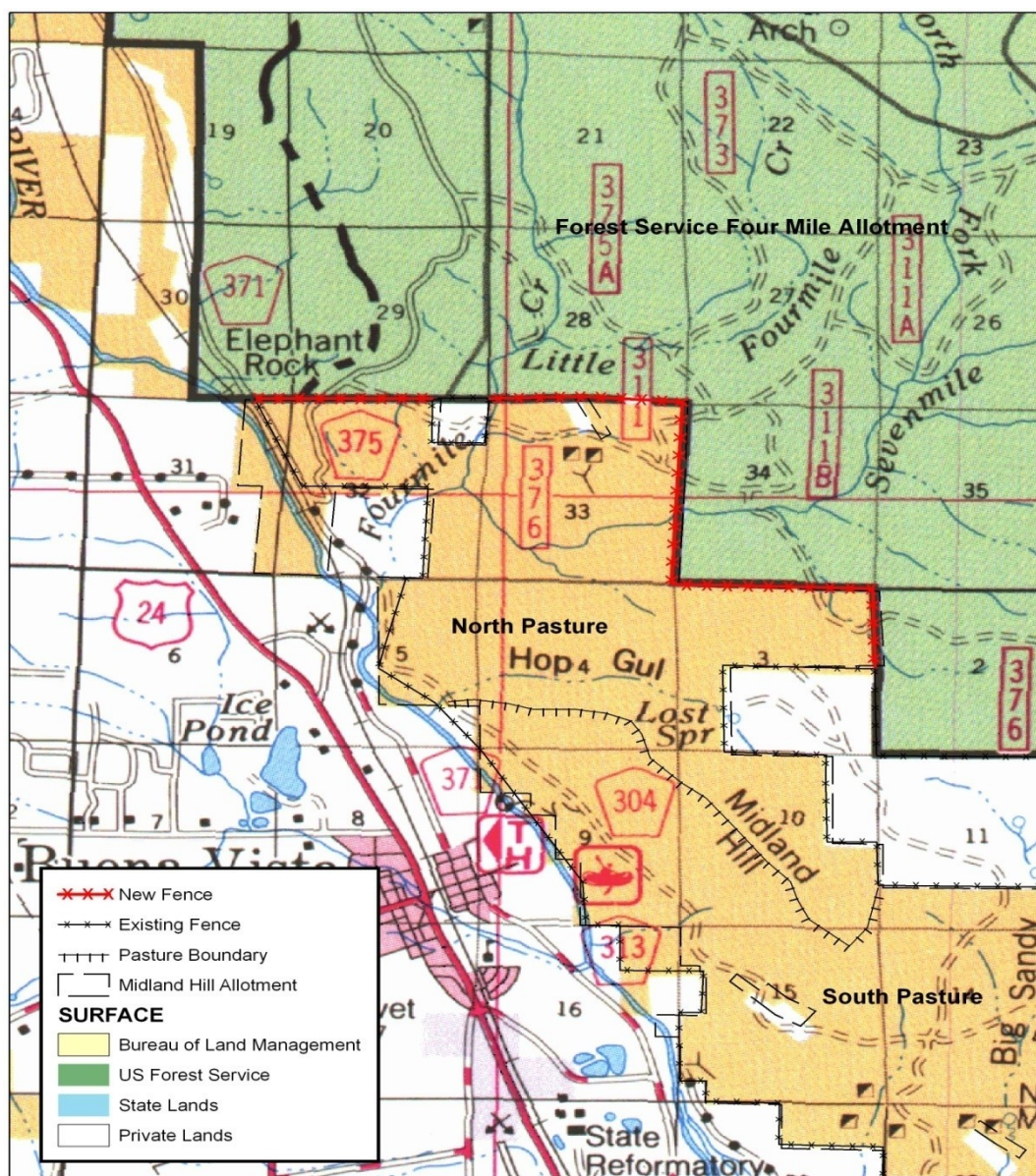
Allotment Summary (AUMs)  
Authorized Livestock Grazing Use



<u>Active</u>	<u>Suspended</u>	<u>*Not Scheduled</u>	<u>Total</u>
157	0	49	256

\*The 49 AUMs of grazing use that are currently “Not Scheduled” may be activated and utilized with additional NEPA analysis.

**No Action Alternative:** Renew livestock grazing authorization on the allotment with no changes to the grazing schedule. Under this alternative, the Midland Hill Allotment would remain as currently scheduled and no new terms & conditions would be added. Approximately 4.5 miles of new fence would be required along the boundary line between the BLM North Pasture and the Forest Service Four Mile Allotment. The new fence line would require new cattle guards (or gates) at multiple road intersections including CR375, FS376 (multiple crossings), and FS311(See map below).



**No Grazing Alternative:** This alternative would not authorize livestock grazing on the public land portion of the Midland Hill Allotment.

PLAN CONFORMANCE REVIEW:

Name of Plan: Royal Gorge Resource Management Plan

Date Approved: 05/13/96

Decision Number: 1-2, 1-4, 1-8, C-30, C-38, C-41, C-42, C-43, C-44,

Decision Language:

1-2: Season of use and stocking rates will continue based on the Grazing EIS.

1-4: Grazing is authorized on 62 allotments.

1-8: 25 allotments are categorized as Improve.

C-30: Base livestock grazing management on the 1981 RGRA EIS.

C-38: Continue to construct range improvement projects on an as-needed basis.

C-41: Adjustments in grazing use will be made by allotment on a case by case basis. Changes in number of livestock, season of use, duration of use, and class of livestock can be made based on monitoring studies and inventory data.

C-42: The grazing treatment on Improve category allotments will require a rest standard to allow a time period for forage species to recover from the last grazing period before the plants are regrazed.

C-43: Maximum allowable utilization on allotments with rotational grazing or dormant season grazing will 80% annual production on grass species and 60% of annual production on shrub species.

C-44: On single pasture allotments with season long spring/summer grazin utilization will be held to the 40 to 60% range on forage species in lieu of a rest standard.

Standards for Public Land Health: In January 1997, Colorado BLM approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, threatened and endangered species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. Because a standard exists for these five categories, a finding must be made for each of them in an environmental analysis. These findings are located in specific elements listed below.

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

CRITICAL ELEMENTS

AIR QUALITY

**Affected Environment:** Air quality in the area is, generally, good to excellent. Frequent winds scrub the airshed of fugitive dust generated from activities conducted by people in the area.

**Environmental Consequences/Mitigation:**

Proposed Action: Neither the proposed action nor any of the listed alternatives will result in air quality standards that are degraded from the current situation. This administrative change will not result in the generation of fugitive dust as use levels will not exceed what currently exists under any alternative.

Recommended Mitigation Measures: No specific mitigations are necessary.

No Action:

Recommended Mitigation Measures:

No Grazing Alternative:

Recommended Mitigation Measures:

Cumulative Impacts of the Proposed Action: Geographic scope: None.

## CULTURAL RESOURCES

**Affected Environment:** Numerous cultural resource inventories have been conducted in the confines of the Midland Hill allotment. Three sites eligible to the National Register of Historic Places (NRHP) are known, site 5CF354, the Midland Railroad Grade, 5CF2367, a small aboriginal stone enclosure and 5CF158 a historic arrastra.

### **Environmental Consequences/Mitigation:**

Proposed Action: Monitoring and past observations have shown the above listed sites are not adversely affected by livestock grazing. The proposed action will have no effect on the three sites eligible to the NRHP.

Recommended Mitigation Measures: None required

No Action Alternative: The no action alternative will have no effect on the three sites eligible to the NRHP.

Recommended Mitigation Measures: None required

No Grazing Alternative: The no grazing alternative will have no effect on the three sites eligible to the NRHP.

Recommended Mitigation Measures: None required

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: Observations over the years has shown that site 5CF354 the Midland Railroad grade and 5CF158, the historic arrastra have suffered no cumulative ill effects from livestock grazing.

## ENVIRONMENTAL JUSTICE

### **Affected Environment:**

**Affected Environment:** The proposed action affects areas that are rural in nature. The town of Buena Vista exists across the Arkansas River and to the west of the allotment land adjacent to these parcels is open rangeland and recreational areas. As a result, there are no minority or low-income populations in or near the project area. As such, the proposal will not have a disproportionately high and adverse human health or environmental effect on minority or low-income populations.

### **Environmental Consequences/Mitigation:**

Proposed Action: None

Recommended Mitigation Measures: None required

No Action Alternative: None

Recommended Mitigation Measures: None required

Other Alternative: None

Recommended Mitigation Measures: None required

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: None

## FARMLANDS, PRIME AND UNIQUE

**Affected Environment:** There are no prime or unique farmlands involved in the proposed action or the alternatives.

### **Environmental Consequences/Mitigation:**

Proposed Action: None.

Recommended Mitigation Measures: N/A

No Action Alternative: None.

Recommended Mitigation Measures: N/A

No Grazing Alternative: None.



Recommended Mitigation Measures: N/A

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope:  
None.

FLOODPLAINS, WETLANDS & RIPARIAN ZONES (includes a finding on Standard 2)

**Affected Environment:** This allotment contains riparian habitats within Fourmile Creek, Sevenmile Creek, Hop Gulch (Arkansas River tributaries), Big Sandy Draw, and some small isolated unnamed riparian areas within gulch tributaries that flow to Trout Creek. The region has a long history of disturbance, but riparian areas are functional on this allotment and the general region on BLM is much improved and continues to do so with expanding beaver habitats.

**Environmental Consequences/Mitigation:**

Proposed Action: Going from spring to a later winter grazing season of use in the north pasture will likely keep livestock from impacting riparian habitat even less on public than is the current situation with the spring use; which has been working well on BLM lands. Grazing on BLM has traditionally been light with more use on USFS, but if USFS lands should snow out, pressure upon BLM could increase. This is not anticipated to be a continual problem however. The south pasture will now be grazed every year, but at the same time period it has been. This is not anticipated to be problematic because at this time of year, grazing has been minimal in riparian areas on BLM anyway and this time period is largely before any of the current year vegetation production has begun. Most utilization will be on residual grasses in non riparian areas of the south pasture.

Recommended Mitigation Measures: Monitor closer if higher elevation uplands receive substantial snow.

No Action Alternative: The No Action alternative continues to graze as is. Under this action BLM resources should remain in the same condition they are at present, which is good and improving. Not selecting this alternative is recommended because the proposed action assists the USFS in accomplishing some improvement with some problem areas on their adjoining allotment.

Recommended Mitigation Measures: Monitoring should be preformed for compliance and to see if the grazing distribution changes from how it has been traditionally used.

No Grazing Alternative: Removing grazing from this allotment is similar to the current situation on BLM where now there is only light grazing because most distribution is on USFS. This alternative is not really necessary from a riparian resource standpoint as resources are improving, but if selected as the alternative, this will allow for continued riparian recovery.

Recommended Mitigation Measures: None

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope:  
This area of BLM (and USFS) has had substantial damage to resources from unmanaged OHV travel and vandalism. A lengthy planning effort largely solved many of these problems where possible. Regionally however many large public roads needed for modern travel are still located in valley bottom settings. BLM is continuing to work in the region to make improvements where possible, but the grazing has not been a contributor to these large scale problems.

**Finding on the Public Land Health Standard for Riparian Systems:** These resources are functional on this allotment on public land and this action will not change this with appropriate management.

#### INVASIVE, NON-NATIVE SPECIES

**Affected Environment:** There ecological sites that make up this allotment are prone to invasion by noxious weeds if severe soil surface disturbance occurs. There are no known noxious weed species present on the allotment.

#### **Environmental Consequences/Mitigation:**

Proposed Action: This alternative will not result in the type of surface disturbance that would increase the risk of noxious weed invasion.

Recommended Mitigation Measures: None required.

No Action Alternative: This alternative will not result in the type of surface disturbance that would increase the risk of noxious weed invasion.

Recommended Mitigation Measures: None required.

No Grazing Alternative: This alternative will not result in the type of surface disturbance that would increase the risk of noxious weed invasion.

Recommended Mitigation Measures: None required.

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope:  
None

#### MIGRATORY BIRDS

**Affected Environment:** The allotment elevation ranges from about 8,000 to 8,500 ft. with an annual precipitation of 10-14 inches. The allotment is in an area of high recreational use, both motorized and non-motorized. Before a recent Travel management plan was implemented, there was substantial resource damage in the area from motor vehicle use. Recently, recreation management has improved resource condition.

Several habitat types are found within the area covered by this EA. Pinyon-juniper habitat with open areas of montane grassland are interspersed throughout the area and mountain shrubs such as currant and mountain mahogany are abundant. Pinyon-juniper habitat supports the largest nesting bird species list of any upland vegetation type in the West. The richness of the pinyon-juniper vegetation type, however, is important due to its middle elevation. Survey tallies in pinyon-juniper are similar in species diversity to the best riparian. Several species are found in the pinyon-juniper habitat and include: black-chinned hummingbird, gray flycatcher, Cassin's kingbird, gray vireo, pinyon jay, juniper titmouse, black-throated gray warbler, Scott's oriole, ash-throated flycatcher, Bewick's wren, mountain chickadee, white-breasted nuthatch, and chipping sparrow.

Ponderosa pine and mountain shrubland habitats are also present. These are very dry and warm areas, with less than 25 in of precipitation annually. Mature ponderosa pine forests on dry sites are open, mature trees achieve wide separation as they compete for limited soil moisture, and a grassy ground cover is maintained by frequent low-intensity fires. Ponderosa pines are the largest conifers in Colorado and Gambel oak is a common component of the understory, typically in a shrubby form. Other common understory shrubs include mountain mahogany and wax currant. Tree species sometimes found mixed with ponderosa pine are junipers, pinyon pine, aspen, white fir, and Douglas-fir. Birds typical of the ponderosa pine forest type include Merriam's turkey, Williamson's sapsucker, pygmy nuthatch, western bluebird, band-tailed pigeon, Mexican spotted owl, Grace's warbler, flammulated owl, red-breasted nuthatch, violet-green swallow, western tanager, and chipping sparrow.

Foothills riparian forests are distributed along stream systems in the foothills, lower mountains and mountain parks from 1700 to 3050 m (5,500-10,000 ft) elevation. In some areas the riparian forest is dominated by a deciduous component, especially narrowleaf cottonwood, a variety of willow species, box elder, mountain alder and river birch. In other areas Colorado blue spruce and other coniferous trees dominate, and conifers often form a mixture with cottonwoods. The understory of these systems is typically rich, with a wide variety of shrubs and herbaceous plants. In deciduous systems, Yellow Warbler was the species most frequently detected, followed by American Robin, Northern Flicker, House Wren, Warbling Vireo, Song Sparrow, Western Wood-Pewee, and Broad-tailed Hummingbird. In coniferous systems, Cordilleran Flycatcher was the most frequently detected species, followed by Broad-tailed Hummingbird, Ruby-crowned Kinglet, American Robin, Golden-crowned Kinglet, Swainson's Thrush, Mountain Chickadee, Yellow-rumped Warbler, and Western Tanager.

The following birds are listed on the US Fish and Wildlife Service Birds of Conservation Concern (BCC) – 2002 List for BCR 16-Southern Rockies/Colorado Plateau. These species have been identified as species that may be found in the allotments and have declining populations that should be monitored and protected from habitat alterations.

The golden eagle is a bird of grasslands, shrublands, pinyon-juniper woodlands, and ponderosa pine forests, may occur in most other habitats occasionally, especially in winter. Nests are

placed on cliffs and sometimes in trees in rugged areas, and breeding birds range widely over surrounding habitats.

Flammulated owls prefer old-growth or mature ponderosa pine, apparently due to the presence of large broken-top and lightning-damaged snags and trees for nesting cavities, large cavities excavated by Northern Flickers and other woodpeckers, open structure of trees and understory for foraging, and high prey availability. They will utilize other habitats with similar structure, such as open mixed-conifer and aspen forests. Key habitat features seem to be the presence of large trees and snags, scattered clusters of shrubs or saplings, clearings, and a high abundance of nocturnal arthropod prey.

Northern harrier's reside throughout Colorado, with highest densities on the eastern plains, mountain parks, and western valleys. These hawks feed on small mammals, birds, reptiles, and amphibians. They hunt by flying low over wetlands, grasslands, shrublands, and croplands.

Peregrine falcons in Colorado breed on cliffs and rock outcrops from 4,500-9000 ft in elevation. They most commonly chosen cliffs lie within pinyon-juniper and ponderosa pine zones. These falcons feed on smaller birds almost exclusively, with White-throated swifts and rock doves being among their favored prey.

Prairie falcons nest in scattered locations throughout the state where they inhabit the grassland and cliff/rock habitat types. These falcons breed on cliffs and rock outcrops, and their diet during the breeding season is a mix of passerines and small mammals.

Williamson's sapsuckers breed in forested regions and in Colorado populations are concentrated along the eastern edge of the Rockies. Williamson's sapsuckers nest primarily in ponderosa pine and in aspen components of mixed-conifer. They often place nest cavities in aspen trees, and often choose nest trees in aspen stands adjacent to open ponderosa pine or mixed-conifer forest.

Gray vireos' nest along the western tier of counties, with centers of abundance in Mesa, Montrose, and Montezuma counties. They also nest on the Eastern Slope in Las Animas County. Gray Vireos are pinyon-juniper woodland obligates. Gray Vireos usually inhabit stands dominated by juniper or thin stands of pure juniper. They construct nests of dry grasses, plant fibers, stems, and hair, often camouflaging them with sagebrush leaves.

Pinyon jays range the semiarid lands of the West. The Colorado Breeding Bird Atlas map shows them south of a diagonal line drawn from the northwest corner to the southeast corner of the state. Pinyon Jays are pinyon and juniper obligates in Colorado and nest commonly at the lower elevations of pinyon-juniper woodlands, often where junipers dominate. A few nest in ponderosa pine. They prefer extensive stands far from high human activity.

Black-throated gray warblers are fairly common summer residents in pinyon-juniper woodlands across the southwestern half of Colorado. Some surveys show these warblers to be the most frequently encountered birds in the pinyon-juniper woodland. Black-throated gray warblers, in Colorado, are pinyon-juniper obligates, preferring tall, dense pinyon-juniper woodlands.



Virginia's warblers in Colorado nest between 5,000-9,000 ft in elevation. They breed most abundantly in the western quarter of the state, along the eastern slope foothills, and in the Upper Arkansas River drainage. Virginia's warblers nest in dense shrublands and on scrub-adorned slopes of mesas, foothills, open ravines, and mountain valleys in semiarid country. They use scrubby brush, pinyon-juniper woodland with a well-developed shrubby understory, ravines covered with scrub oak, and dense shrublands--especially Gambel oak. They also breed in open ponderosa pine savannas that have a dense understory of tall shrubs.

Grace's warblers breed from southwestern Colorado and southern Utah, south through central Arizona, western New Mexico, and into north-central Mexico. Grace's warblers inhabit open ponderosa pine forests with pines 16 ft tall, especially with a shrubby understory, usually Gambel oak.

### **Environmental Consequences/Mitigation:**

Proposed Action: With the current AMP Land Health Standards are being met and there are no grazing related resource issues. Changing the season of use to winter would be an improvement to the current use and benefit resources even more. Although the south pasture would still be grazed in the spring every other year, it has always only received light use. This is also the case with riparian areas on Fourmile and Sevenmile creeks. Re-authorizing this grazing permit with the proposed changes will not impact migratory bird species in this area.

Recommended Mitigation Measures: Continue monitoring livestock use.

No Action Alternative: With the current AMP Land Health Standards are being met and there are no grazing related resource issues. Re-authorizing this grazing permit will not impact migratory bird species in this area.

Recommended Mitigation Measures: Continue monitoring livestock use.

No Grazing Alternative: Although this alternative would eliminate any livestock impacts on the allotment, the benefit to migratory birds would minimal and probably not measurable.

Recommended Mitigation Measures: None

Cumulative Impacts of the Proposed Action: Geographic scope: Time Scope: As mentioned above, this area is a high use recreation area, especially motorized use. Resource damage has been substantially reduced after a recent Travel Management Plan was implemented. With the current grazing schedule, only minor impacts have been observed. With the proposed changes, any cumulative impacts would be even less but would continue as long as the proposed grazing plan is in effect.

### **NATIVE AMERICAN RELIGIOUS CONCERNS**

**Affected Environment:** No possible traditional cultural properties were located during the

previous cultural resources inventories or the literature review (see above). After consultation with tribal representatives, there is no other known evidence that suggests the project area holds special significance for Native Americans.

**Environmental Consequences/Mitigation:**

Proposed Action: None

Recommended Mitigation Measures: None required

No Action Alternative: None

Recommended Mitigation Measures: None required

No Grazing Alternative: None

Recommended Mitigation Measures: None required

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope:  
None

**THREATENED, ENDANGERED, AND SENSITIVE SPECIES** (includes a finding on Standard 4)

**Affected Environment:** The allotment elevation ranges from about 8,000 to 8,500 ft. with an annual precipitation of 10-14 inches. The allotment is in an area of high recreational use, both motorized and non-motorized. Before a recent Travel management plan was implemented, there was substantial resource damage in the area from motor vehicle use. Recently, recreation management has improved resource condition. Several habitat types are found within the area covered by this EA. See the Migratory Bird section above for descriptions.

While sensitive species are not federally protected, it is BLM policy to manage these species to prevent future listing, thereby affording them the same level of protection as Threatened and Endangered (T&E) species in BLM programs. Only those species that may occur in this area will be addressed.

Bald Eagle (BLM Sensitive): Colorado populations of bald eagles typically nest in large cottonwood trees along rivers and reservoirs. Eagle densities reach their peak during the winter months when migrants arrive from the north. The bald eagle is a common winter (December through February) visitor to the Arkansas River valley. Typically, up to five birds can be found from Leadville to Canon City, and up to five birds can be found from Canon City to Pueblo Reservoir. An active bald eagle nest is located on private land along Fourmile Creek north of Canon City. These birds could be expected to forage on public lands. However, use by eagles is so incidental that preferred or critical areas such as roosting or feeding sites have not been identified.

Peregrine Falcon (BLM Sensitive): Peregrine falcon habitat includes nesting and hunting sites, as well as migration and wintering areas. Typical nesting sites are cliffs more than 200 feet

high that overlook water and permit extensive views of the surrounding area. Prey abundance and diversity provided by these situations are major factors in eyrie (nest) selection. Peregrines may travel up to 17 miles from nesting cliffs to hunting areas. Preferred hunting habitats include cropland, meadows, river bottoms, marshes and lakes that provide an abundance of avian prey. Birds are occasionally reported in Colorado during the winter, but most peregrines migrate to Central and South America. Peregrine falcons in the area are found in the roughest, most rugged, inaccessible areas BLM manages. Large canyon complexes with extensive rock are typically used during the breeding season. Recovery goals for nesting peregrines were exceeded several years ago. Colorado documents over 100 nesting pairs of peregrines each year. The peregrine was down listed from a federal threatened species to a state listed species of special concern as recovery progressed. The BLM considers the peregrine falcon a sensitive species. Although there is no nesting habitat on BLM land within this allotment, there is nesting habitat in the area and they may forage within the allotment.

### **Environmental Consequences/Mitigation:**

Proposed Action: With the current AMP Land Health Standards are being met and there are no grazing related resource issues. Changing the season of use to winter would be an improvement to the current use and benefit resources even more. Although the south pasture would still be grazed in the spring every other year, it has always only received light use. This is also the case with riparian areas on Fourmile and Sevenmile Creeks. Re-authorizing this grazing permit with the proposed changes will not impact T&E or BLM sensitive species in this area.

Recommended Mitigation Measures: Continue monitoring livestock use.

No Action Alternative: With the current AMP Land Health Standards are being met and there are no grazing related resource issues. Re-authorizing this grazing permit will not impact T&E or BLM sensitive species in this area.

Recommended Mitigation Measures: Continue monitoring grazing use.

No Grazing Alternative: Although this alternative would eliminate any livestock impacts on the allotment, the benefit to T&E or BLM sensitive species would minimal and probably not measurable.

Recommended Mitigation Measures: None

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: As mentioned above, this area is a high use recreation area, especially motorized use. Resource damage has been substantially reduced after a recent Travel Management Plan was implemented. With the current grazing schedule, only minor impacts have been observed. With the proposed changes, any cumulative impacts would be even less but would continue as long as the proposed grazing plan is in effect.

**Finding on the Public Land Health Standard for Threatened & Endangered species:**  
Implementing the proposed action will not affect the Public Land Health Standard for Threatened & Endangered species.

#### WASTES, HAZARDOUS OR SOLID

**Affected Environment:** Area is public land that is open for recreational use. Dumping of solid waste does occur in the area. Once discovered, waste is removed for disposal and an investigation is conducted if evidence warrants.

#### **Environmental Consequences/Mitigation:**

Proposed Action: The proposed action and alternatives does not utilize hazardous materials on public lands. No specific mitigations are necessary for any of the alternatives. Solid waste management will continue to be handled as described under the Affected Environment heading.

Recommended Mitigation Measures: None

No Action Alternative:

Recommended Mitigation Measures:

No Grazing Alternative:

Recommended Mitigation Measures:

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope:  
None

#### WATER QUALITY, SURFACE AND GROUND (includes a finding on Standard 5)

**Affected Environment:** The Midland Hill Allotment lies east of the Arkansas River and Buena Vista. The Arkansas River here is impacted by historic mining in the Leadville area and is on the Colorado 303(d) list as being impaired by zinc and cadmium. The Allotment itself contains Fourmile Creek, Sevenmile Creek, Hop Gulch and several small springs. The water quality of these is generally good, but they are impacted to an extent by sediment resulting from roads. The Fourmile Travel Management Plan has addressed most of the sediment issues related to roads. Currently, grazing on this allotment is having a small impact on water quality in these waters. The riparian areas in this allotment are in good improving condition with good vegetation holding the stream banks further lessening sediment.

#### **Environmental Consequences/Mitigation:**

Proposed Action: The Proposed Action would move the North Pasture to a winter type use. This would have a positive impact on riparian and would result in a somewhat



beneficial impact to water quality as riparian vegetation improves and more sediment is trapped. The South Pasture would move to being grazed every year during the same time period. Grazing in this pasture has been light in the past and away from most springs. Overall, the Proposed Action would have little effect on water quality.

Recommended Mitigation Measures: None

No Action Alternative: The No Action Alternative would keep the grazing as it currently is, but fences would need to be built. Overall, this would have little impact on water quality.

Recommended Mitigation Measures: None

No Grazing Alternative: Grazing on this allotment is generally light and isn't an issue from a water quality standpoint; however by removing grazing there would be a larger improvement in water quality. This increase would be difficult to quantify.

Recommended Mitigation Measures: None

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: This area has historically had an issue with unregulated OHV use. The Fourmile Travel Management plan that has been in place for several years now has made a large improvement to the problem and has decreased sediment production. The Proposed Action would add a small improvement to the water quality in the area.

**Finding on the Public Land Health Standard for Water Quality:** This area is meeting Standards for Water Quality and the Proposed Action would continue this trend.

#### WILDERNESS, AREAS OF CRITICAL ENVIRONMENTAL CONCERN, WILD AND SCENIC RIVERS

**Affected Environment:** There are no public lands with these special designations within the grazing allotment.

#### **Environmental Consequences/Mitigation:**

Proposed Action: No impacts.

Recommended Mitigation Measures: None.

No Action Alternative: No impacts.

Recommended Mitigation Measures: None.

No Grazing Alternative: No impacts.

Recommended Mitigation Measures: None.

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope:  
None.

### NON-CRITICAL ELEMENTS

The following elements **must** be addressed due to the involvement of Standards for Public Land Health:

SOILS (includes a finding on Standard 1)

**Affected Environment:** The “General Soil” descriptions are described in this analysis and derived from the Natural Resource Conservation Service, Soil Survey of Fremont County (1995). The dominant soil associated with the allotment is the *Rockland-Rock outcrop association*. The association occurs on moderate to steep slopes and consists of rocky granite outcrops with shallow soils that derived from the weathering of the granite. The erosion potential of these soils is severe and it is critical to maintain sufficient vegetative cover to protect the soil surface during precipitation events and to slow and allow infiltration of runoff.

#### **Environmental Consequences/Mitigation:**

Proposed Action: Due to the high erosion hazard, having sufficient vegetative cover to protect the soil surface during precipitation events and to slow and allow infiltration of runoff is critical. The proposed action includes target forage utilization levels that will allow sufficient vegetative and litter cover to provide these functions. In addition, the proposed action defers complete and partial grazing during the growing season promoting a vigorous and healthy plant population and allows for sufficient vegetative stubble and litter cover to provide for soil protection. The Proposed Action would meet Standards for Upland Soil Health.

Recommended Mitigation Measures: See vegetation section.

No Action Alternative: The grazing schedule under the No Action alternative will provide the same soil protection as the proposed action. However, the construction of 4.5 miles of new fence would be an additional impact to soils under this alternative when compared to the proposed.

Recommended Mitigation Measures: See vegetation section.

No Grazing Alternative: The vegetation portion of this analysis indicates that a lack of livestock grazing use on some of the sites may result in an eventual decrease in the amount of vegetative and litter cover. This would reduce the vegetative cover that is necessary to protect the soil surface during precipitation events and to slow and allow infiltration of runoff.

Recommended Mitigation Measures: Monitor for livestock trespass.

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope:

Refer to the cumulative impacts related to the Vegetation and Range Management portions of this analysis.

**Finding on the Public Land Health Standard for Upland Soils:** The Health Assessment was conducted on this allotment during the summer of 2007. There is concern pinyon woodlands are steadily encroaching into naturally open grassland range sites and pinyon stands have steadily grown increasingly dense. As this continues over time, many areas are characterized by decreasing amounts of herbaceous plant cover and higher amounts of bare ground. As a result, these areas begin to retain less moisture during precipitation events and allow higher levels of surface runoff and soil movement. These changes in the plant communities appear not to be directly related to livestock grazing.

VEGETATION (includes a finding on Standard 3)

**Affected Environment:** The climate of the analysis area averages 11 to 16 inches of precipitation annually, while July and August produce the highest amount of rainfall. May and June produce the least amount of rainfall in the area. The mean annual temperature for the area is 40 degrees F. with a frost free period of 60 to 100 days. The optimal growing season for native plants in the area is May 15 through August 15 (NRCS, 1995).

The allotment is dominated by the Pinyon-Juniper woodland range site. The Pinyon-Juniper range site for this area is an association of species including pinyon pine as the dominant woodland type and juniper as a secondary woodland type occurring intermittently due to the upper elevation limits. Ponderosa pine could occur as an intermittent species. The mid and under-story levels consists of shrubs, forbs and grasses. Forbs and shrubs that may occur in the area include mountain mahogany, wax current, fringed sagebrush, rabbitbrush, and yucca. Primary grasses include blue grama, mountain muhly, and Indian rice grass. Some areas within the pinyon-juniper under story are demonstrating a lack of species diversity, lower amounts of herbaceous plant cover and relatively high amounts of bare ground. These areas are generally correlated with higher density or a closed canopy pinyon-juniper over-story and flat to gently sloping soils with some degree of depth.

**Environmental Consequences/Mitigation:**

Proposed Action: The Proposed Action promotes deferment from grazing during a majority of the growing season and includes utilization restrictions. The proposal defers grazing use during the most productive point in the plants physiological growth period and allows both cool and warm season grass species to complete a life cycle every year. The action meets the physiological needs of the plant species and will promote seed dissemination and seedling establishment. The action will meet Vegetation Standards for Public Land Health.

Recommended Mitigation Measures: Provide compliance to make sure pastures are used as scheduled, monitor utilization, and all water facilities are working at full performance.

No Action Alternative: The existing grazing schedule also promotes deferment from grazing during part and all of the growing season, and includes utilization restrictions on a limited basis. Under this alternative there is an additional short term impact to vegetation through the construction of 4.5 miles of new fence. There is also uncertainty on how livestock will use the North Pasture when the new fence is built. Isolating the pasture into a smaller area may change how livestock graze the area and create new livestock concentration areas.

Recommended Mitigation Measures: Conduct livestock use and utilization studies on the North Pasture.

No Grazing Alternative: Not renewing the current grazing permit as prescribed by this alternative would remove grazing use on the public land. This in turn would result in an initial increase in plant vigor and litter production. However, precipitation in this area is fairly low (approximately 11 - 15 inches). Due to these dry conditions, decomposition of litter and “standing dead” plant material is relatively slow and the return of nutrients from these materials to the soil is therefore also slow. Livestock grazing, when managed properly, tends to harvest plant biomass and return a higher portion of the nutrients to the soil (and more quickly) than allowing the plant to decompose without grazing use. Furthermore, harvesting a portion of a plant’s biomass, when done properly, tends to stimulate new growth and improve plant vigor. The effect of livestock hooves also tends to break up soil crusts and improve the soil surface as a seed bed for plant reproduction. Therefore, a lack of periodic grazing use in this area could result in an eventual decrease in plant vigor, and the amount of vegetative and litter cover. This alternative would initially increase plant vigor and litter production but would eventually result in movement away from applicable standards.

Recommended Mitigation Measures: Monitor for livestock trespass.

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: The allotment is surrounded by a mixture of both public and private lands. Livestock grazing and other activities such as mining and logging have historically been present in the area for at least a hundred years. Furthermore, recreation has increased in popularity resulting in more road and trail densities. All of these factors are cumulative impacts to vegetation in the area. Under the Proposed Action, the grazing permit will be renewed for ten years allowing livestock grazing to continue with the same or less overall impacts to vegetation. The allotment will be re-evaluated in ten years.

**Finding on the Public Land Health Standard for Plant and Animal Communities** (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): See Soils section.

WILDLIFE, AQUATIC (includes a finding on Standard 3)

**Affected Environment:** This allotment contains aquatic habitats within Four Mile Creek, Seven Mile Creek, Hop Gulch (all tributaries to the Arkansas), Big Sandy Draw, and some small isolated unnamed riparian areas within gulch tributaries that flow to Trout Creek. Fisheries are



present in Four Mile and Seven Mile Creeks. The region has a long history of disturbance, but riparian areas are functional on this allotment and the general region on BLM is much improved and continues to do so with expanding beaver habitats. The ponded waters are adding to the aquatic habitat diversity.

### **Environmental Consequences/Mitigation:**

Proposed Action: Going from spring to a later winter grazing in the north pasture will likely keep livestock from impacting riparian habitat even less on public than is the current situation with the spring use. Grazing on BLM has traditionally been light with more use on USFS, but if USFS lands should snow out, pressure upon BLM could increase. This it is not anticipated to be a continual problem. The south pasture will now be grazed every year, at the same time period it has been. This is not anticipated to be problematic because at this time of year, grazing has been minimal in riparian areas on BLM anyway, and this time period is largely before any of the current year vegetation production has begun. Most utilization will be on residual grasses in non riparian areas of the south pasture.

Recommended Mitigation Measures: Monitor closer if higher elevation uplands receive substantial snow.

No Action Alternative: The No Action alternative continues to graze as is. Under this action BLM resources should remain in the same condition they are at present, which is good and improving. Selection against this alternative is recommended because the proposed action assists the USFS accomplish some improvement with some problem areas on their adjoining allotment.

Recommended Mitigation Measures: Monitoring should be preformed for compliance and to see if the grazing distribution changes from how it has been traditionally used.

No Grazing Alternative: Removing grazing from this allotment is similar to the current situation on BLM where now there is only light grazing because most distribution is on USFS. This alternative is not really necessary from a riparian or aquatic habitat resource standpoint as resources are improving, but if selected as the alternative will allow for continued recovery.

Recommended Mitigation Measures: None

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: This area of BLM (and USFS) has had substantial damage to resources from unmanaged OHV travel and vandalism. A lengthy planning effort largely solved many of these problems where possible. Regionally however many large public roads needed for modern travel are still located in valley bottom settings. BLM is continuing to work in the region to make improvements where possible, but the grazing has not been a contributor to large scale problems.

**Finding on the Public Land Health Standard for Plant and Animal Communities** (partial, see also Vegetation and Wildlife, Terrestrial): On the BLM, aquatic habitat is improving. Improved habitat will optimize conditions for aquatic wildlife present.

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

**Affected Environment:** The allotment elevation ranges from about 8,000 to 8,500 ft. with an annual precipitation of 10-14 inches. The allotment is in an area of high recreational use, both motorized and non-motorized. Before a recent Travel management plan was implemented, there was substantial resource damage in the area from motor vehicle use. Recently, recreation management has improved resource condition. Several habitat types are found within the area covered by this EA. See the Migratory Bird section above for descriptions.

## **SPECIES DESCRIPTIONS**

**Elk:** The elk is a large cervid whose general body color is pale tan or brown. Elk are among the better studied big game mammals of North America. Once the animals ranged well eastward on the Great Plains, but today they are associated with semi-open forests or forest edges adjacent to parks, meadows, and alpine tundra. Generalist feeders, elk are both grazers and browsers. In the northern and central Rocky Mountains, grasses and shrubs compose most of the winter diet, with the former becoming of primary importance in the spring months. Forbs become increasingly important in late spring and summer, and grasses again dominate in the fall. Browse constituted over 56 percent of the winter diet. Elk breed in the fall with the peak of the rut in Colorado occurring in late September.

In recent years elk have expanded their range to lower elevations and now occupy less traditional habitats, including pinyon-juniper present on this allotment.

**Mule Deer:** Mule deer are medium-sized cervids with conspicuously long ears and a coarse coat. Mule deer occupy all ecosystems in Colorado from grasslands to alpine tundra. They reach their greatest densities in shrublands on rough, broken terrain, which provide abundant browse and cover. In the Rocky Mountains, fall and winter diets of mule deer consist of browse from a variety of trees and shrubs. In the spring and summer, browse contributes 49 percent of the diet, and forbs and grasses make up about 25 percent of each. Mule deer seem to be able to survive without free water except in arid environments. Over much of Colorado the species is migratory, summering at higher elevations and moving downslope to winter range. During midwinter, deer moved to lower elevations and foraged on more protected south-facing exposures. This latter movement is timed with severity of weather. Spring and summer ranges are most typically mosaics of meadows, aspen woodlands, alpine tundra-subalpine forest edges, or montane forest edges. Montane forests and piñon-juniper woodlands with good shrub understory are often favored winter ranges.

Mule deer are found in the allotment area in all habitat types. Highest densities are found in mountain shrub and mixed conifer communities at approximately 7500 ft elevation. Mule deer in the area frequently use wet, hay meadows on private lands, especially in the spring. Deer densities are slowly increasing after several years of below average populations.

**Black Bear:** A medium-sized bear, this species is Colorado's largest surviving carnivore. Color varies greatly, from black to pale brown and blond. Black bears can survive in practically any habitat that offers sufficient food and cover. In Colorado the species is most common in montane shrublands and forests, and subalpine forests at moderate elevations, especially in areas with well-developed stands of oakbrush or berry-producing shrubs such as serviceberry and choke-cherry. However, the animals also occupy habitats ranging from the edge of the alpine tundra to the lower foothills and canyon country. Black bears in Colorado probably breed from early June to perhaps mid-August. Cubs are born in the den in late January or February, while the mother is in hibernation. Litter size is two or three. Black bears are typically solitary, except for family groups (a sow and cubs), or aggregations at concentrated food resources, where bears may show a relatively high tolerance for each other. Black bear populations are difficult to estimate. Black bears are locally common in suitable habitats in the higher elevations in the area, but occur in all habitat types present. Highest population densities occur in the montane shrublands.

**Mountain Lion:** The mountain lion is the largest cat in the United States. Its' color is brownish to reddish brown. Colorado individuals are among the largest representatives of the species. Mountain lions inhabit most ecosystems in Colorado, including the eastern plains according to periodic reports. They are most common in rough, broken foothills and canyon country, often in association with montane forests, shrublands, and piñon-juniper woodlands. Mountain lions have the widest distribution of any mammal in the New World. In Colorado the species is still common in much of the western two-thirds of the state, although largely eliminated from the eastern plains. Mountain lions are common in the area.

**Raptors:** A variety of raptor species occur in the exchange area. The following species have been documented as occurring regularly in the area: golden eagle, peregrine falcon, prairie falcon, red-tailed hawk, Coopers hawk, sharp-shinned hawk, goshawk and kestrel. These species rarely occur due to the small amount of suitable habitat in the planning area: ferruginous hawk, rough-legged hawk, Swainsons hawk, harrier, and osprey.

Golden eagles are common in the area and nest in suitable habitats, primarily cliffs and rock outcroppings. The large amount of canyon habitat found in Beaver Creek, Phantom Canyon, Shelf Road and along the Fourmile Creek drainage provide abundant nest sites. Peregrine breeding pairs nest on cliffs and forage over adjacent coniferous and riparian forests. Migrants and winter residents occur mostly around reservoirs, rivers, and marshes, but may also be seen in grasslands, agricultural areas, and less often in other habitats.

Prairie falcon's are widespread in the area utilizing cliff and rock habitats. Red-tailed hawks are the most common broad-winged hawk found in the area at all elevations and most habitat types. The forest hawks: Coopers hawk, goshawk and sharp-shinned hawk occur in smaller numbers due to the absence of large tracks of forested landscape. Kestrels can be found at the lower elevations. Northern harriers and osprey are also rarely seen on BLM lands in the area.

**Merriam's Turkey:** The Merriam's turkey is a fairly common resident in foothills and mesas of southern Colorado, primarily from Montezuma County east to Archuleta County and from Las

Animas County east to southwestern Baca County and north to Fremont County. The Merriam's turkey is very common in the exchange area in suitable habitat. Merriam's are found primarily in ponderosa pine forests with an understory of gambel oak. Tall pines are used during all seasons for roosting. In the planning area it is often found in other foothill shrublands (mountain mahogany), pinyon-juniper woodlands, foothill riparian forests, and in agricultural areas.

#### **Environmental Consequences/Mitigation:**

Proposed Action: With the current AMP Land Health Standards are being met and there are no grazing related resource issues. Changing the season of use to winter would be an improvement to the current use and benefit resources even more. Although the south pasture would still be grazed in the spring every other year, it has always only received light use. This is also the case with riparian areas on Fourmile and Sevenmile creeks. The proposed action eliminates grazing use during a majority of the growing season. This benefits the physiological needs of plant species and will promote seed dissemination and seedling establishment on the allotment. Maintaining and improving vegetative conditions on the allotment will benefit wildlife by providing quality browse and forage for ungulate species and improve wildlife habitat.

Re-authorizing this grazing permit with the proposed changes will not impact terrestrial wildlife species in this area.

Recommended Mitigation Measures: Continue monitoring livestock use.

No Action Alternative: With the current AMP Land Health Standards are being met and there are no grazing related resource issues. Re-authorizing this grazing permit will not impact wildlife species in this area.

Recommended Mitigation Measures: Continue monitoring livestock use.

No Grazing Alternative: This alternative would eliminate any livestock impacts on the allotment and would benefit terrestrial wildlife species, especially ungulates, by increasing the amount of available forage. However, since utilization has been low with the current grazing schedule, it would be even less with the proposed changes.

Recommended Mitigation Measures: None

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: As mentioned above, this area is a high use recreation area, especially motorized use. Resource damage has been substantially reduced after a recent Travel Management Plan was implemented. With the current grazing schedule, only minor impacts have been observed. With the proposed changes, any cumulative impacts would be even less but would continue as long as the proposed grazing plan is in effect.



**Finding on the Public Land Health Standard for Plant and Animal Communities**  
(partial, see also Vegetation and Wildlife, Aquatic): Implementing the proposed action will not affect the Public Land Health Standard for Plant and Animal Communities.

**OTHER NON-CRITICAL ELEMENTS:** For the following elements, those brought forward for analysis will be formatted as shown above.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Cadastral Survey			X
Fire			
Forest Management		X	
Geology and Minerals		X	
Hydrology/Water Rights		X	
Law Enforcement			
Paleontology	X		
Noise			
Range Management			X
Realty Authorizations			
Recreation			X
Socio-Economics	X		
Transportation & Access			X
Visual Resources		X	

## RECREATION

**Affected Environment:** The grazing allotment is located within the Arkansas River Special Recreation Management Area and the Fourmile Travel Management Area. Hiking, mountain biking, trail running, ATV riding, four-wheeling, horseback riding, and dispersed camping are the primary recreation activities in and around the grazing allotment. The recreation setting (ROS) is semi-primitive, motorized which allows for a wide variety of motorized and non-motorized recreation opportunities and experiences.

The area includes the Barbara Whipple and Midland Trail network and the Spaghetti Western trail network. The Barbara Whipple and Midland Trail network is readily accessible from the Town of Buena Vista and is a popular area with local residents as well as visitors. The trail system is used daily by walkers, runners, and mountain bikers. The Spaghetti Western Trail system is used primarily by equestrians.

Several commercial and competitive recreation uses occur in this area authorized by BLM Special Recreation Permit including guided mountain biking and hiking trips, guided horseback rides, a pack burro race, an adventure endurance race (running, bicycling, zip line) and a long distance running race.

There is one developed recreation site, Collegiate Peaks Scenic Overlook, located within the allotment. The site includes picnic and restroom facilities and interpretive exhibits. This site is managed cooperatively by BLM and Colorado State Parks and is part of the Arkansas Headwaters Recreation Area.

### **Environmental Consequences/Mitigation:**

Proposed Action: Modifying the grazing schedule to winter use would somewhat reduce the potential for conflicts between livestock and recreation users. Although the area is used year-round for recreation, the highest use occurs from May through September. The change in the grazing schedule would reduce the amount of time that livestock are in the area during the peak use season; however, it would increase the overall amount of time that livestock could be on public lands. This could result in a longer period for conflicts to occur between livestock and recreation users; however, livestock grazing should be more widely distributed across a larger area of public lands and National Forest during the season of use.

Recommended Mitigation Measures: Document reported and observed conflicts between livestock and recreation users. Consider moving salt, mineral, and protein tub locations to reduce conflicts if necessary.

No Action Alternative: This alternative would require the construction of a considerable amount of fence to separate the BLM allotment from the National Forest. Livestock use of the area would overlap for a longer period of time with the peak use season (4/01 – 06/30 instead of 11/15 to 5/31 under the Proposed Action) and cattle would be concentrated in smaller areas.

Recommended Mitigation Measures: Where fences intersect with designated roads and trails, gates, cattle guards and/or other structures may be needed to allow the passage of recreation users while restricting livestock.

No Grazing Alternative: This alternative would eliminate any conflicts between recreation users and livestock.

Recommended Mitigation Measures: None.

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: This area has been subject to livestock grazing for many years. Few conflicts between livestock grazing and recreation uses have been reported. Over time, recreation use can be expected to increase. This may result in an increase in conflicts with livestock. However, the level of conflict would likely remain low because the use on this allotment would be limited to 157 AUMs; it would occur during the time of lowest recreation use (winter and spring); and it would be distributed over a relatively large area of public land and National Forest.

### **TRANSPORTATION & ACCESS**

**Affected Environment:** Refer to Recreation section.

### **Environmental Consequences/Mitigation:**

Proposed Action: The proposed action would reduce user conflicts between livestock and transportation and access. Even though this area is used year round, the highest use occurs between May and September.

Recommended Mitigation Measures: None

No Action Alternative: This alternative would require 4.5 miles of fence along the boundary between BLM and Forest Service. Several cattle guards would be needed in order for motorized users to continue on the trails that are provided in the 4-mile travel management plan.

Recommended Mitigation Measures: Cattle guards and gates would need to be installed where trails cross from BLM to forest service to allow access to continue on designated trails and routes.

No Grazing Alternative: This alternative would eliminate any conflicts between livestock and recreational access.

Recommended Mitigation Measures: None

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: Refer to Recreation section.

### **CADASTRAL SURVEY**

**Affected Environment:** The boundary between the USFS and BLM involved is in need of a Cadastal survey. Only 1 of the 10 monuments needed to identify the 4.5 mile boundary has been identified.

### **Environmental Consequences/Mitigation:**

Proposed Action: No mitigation is necessary as boundary identification for this action is not be needed.

Recommended Mitigation Measures: N/A

No Action Alternative: In order to split the grazing allotment between the USFS and BLM boundary to accommodate this alternative, a cadastral survey will need to be conducted to identify the boundary.

Recommended Mitigation Measures: Should a fence be built, it should be on the legal boundary line to avoid legal issues should problems arise between the allotments.

No Grazing Alternative: The unit would also have to be split from the USFS in this alternative.

Recommended Mitigation Measures: Same as the No Action Alternative.

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope:

N/A

## RANGE MANAGEMENT

**Affected Environment:** The Midland Hill Allotment encompasses 6,415 acres total and is divided into two separate pastures. The South Pasture consists of 2,908 acres of public land and makes up 99 AUMs of total production. The North Pasture consists of 3,507 acres of BLM and 4,800 acres of Forest Service. As stated in the background section, the boundary line between the BLM and Forest Service are unfenced and the two allotments have historically been operated together. The BLM portion of the pasture was estimated to have 1,549 acres of suitable land for livestock grazing resulting in 110 AUMs and accounting for 25% of the actual forage available. The Forest Service portion accounts for the remaining 75% due to better terrain and forage.

### **Environmental Consequences/Mitigation:**

Proposed Action: Keeping the BLM North Pasture and the Forest Service pasture combined makes the most sense from a range management perspective. For one, winter grazing promotes livestock distribution in a larger pasture and cattle tend to be controlled better with supplements. Second, vegetation is dormant and more resilient to heavier grazing pressure during the proposed grazing period. The South Pasture consists of a level and season of use that is favorable to vegetative growth. Better livestock distribution could be enhanced in the South Pasture by improving existing water developments to better serve livestock. The Proposed Action helps ensure that grazing use on the allotment will comply with Guidelines for Livestock Grazing Management in Colorado.

Recommended Mitigation Measures: Monitor livestock use.

No Action Alternative: The “No Action” Alternative is to maintain the allotment as currently scheduled. Under this alternative, 4.5 miles of new fence and cattle guards would be required on the boundary line between the BLM and Forest Service. The following figures breakdown the cost involved in fencing the boundary:

Item	Rate	Govt. Cost
Fence Material Cost	\$3,000/Mile	\$13,500
*Labor	\$2.00/ft	\$47,500
Line Survey	\$2,000/Mile	\$9,000
**3 Cattle Guards	\$4,466/ea(guard,base,wings)	<u>\$13,400</u>
<b>TOTAL</b>		<b>\$83,400</b>

\*Labor: The labor cost could be reduced by utilizing inmate labor. Inmate labor requires supervision and tools.

\*\*Gates could be substituted for cattle guards at a lower cost, but are user unfriendly and could result in being left open.

There are still questions that remain as who (BLM or Forest Service) would fund and supervise the fence project. In either case there would be significant expenses to the government.

Recommended Mitigation Measures: Monitor grazing use.

No Grazing Alternative: If grazing use was eliminated on BLM, there would still be a need to fence the boundary line between the Forest Service and BLM since livestock grazing would continue on the Forest Service. The cost analysis conducted for fencing in the No Action Alternative would be the same for this alternative. In addition, economic impacts would be experienced by the permittee due to the loss of grazing use under this alternative. Based on the permittees' anticipated need to provide additional pasture to make up for the loss of public land grazing use, the permittee could be expected to experience additional cost annually under this alternative. When compared to the estimated public land carrying capacity for the Midland Hill Allotment (206 AUMs), the additional annual cost to the permittee would be \$2,987. This estimate is based on the estimated private land lease rate in Colorado as estimated by BLM (\$14.50 per AUM).

Recommended Mitigation Measures: Monitor for livestock trespass.

Cumulative Impacts of the Proposed Action: Geographic scope; Time Scope: The allotment is surrounded by a mixture of both public and private lands. Livestock grazing and other activities such as mining and logging have historically been present in the area for at least a hundred years. Furthermore, recreation has increased in popularity resulting in more road and trail densities. Grazing use takes place on much of the private and state lands within the watershed as well. Generally, BLM grazing management is more intensive than management of the surrounding private and state lands and takes other resource values, such as wildlife, cultural, soils, vegetative and riparian on the public land into account to a greater degree. The proposed action on this allotment include new or additional protection for vegetative, soils, cultural and riparian values. Therefore, the impacts of the proposed action on this allotment, together with those of other similar BLM actions within the watershed, will be an improvement in the protection of other resource values on public land.

CUMULATIVE IMPACTS SUMMARY: The allotment occurs in an area where livestock grazing, railroading, timber cutting, and mining have been occurring over the last 100 or more

years. Livestock grazing continues in the general area on both private and public lands and railroading, timber cutting, and mining have progressively ceased activities for the most part. Currently, the allotment is experiencing heavy recreation use on public lands including mountain biking, hiking, hunting, fishing, and boating, and adjacent private lands are experiencing a boom in housing development. The continuation of livestock grazing as described in the Proposed Action, will not create new cumulative impacts to the existing situation.

PERSONS / AGENCIES CONSULTED:

US Forest Service, Salida Ranger District  
Colorado Division of Wildlife, Randy Hancock DWM, 10/17/2001

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Debbie Bellew	Land Law Examiner	Realty
Keith Berger	Range Management Spec.	Range, Vegetation
Jim Backstrand	Wildlife Biologist	Wildlife, T&E, Migratory Birds
Natalee Czarnota	Realty Specialist (SCEP)	Realty
Mike Gaylord	Fire Mit./Educ. Spec.	Air, Hazardous Materials
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands
Ernie Gillingham	Surface Reclamation Spec.	Soils
Dan Grenard	Geologist	Minerals, Paleontology
Tom Grette	Range Management Spec.	Range, Vegetation, Farmland, Weeds
Jack Hagan	Law Enforcement Ranger	Law Enforcement
Tony Mule'	Cadastral Surveyor	Cadastral Survey
John Nahomenuk	River Manager	Recreation, Wilderness, Visual, ACEC
Leah Quesenberry	Outdoor Recreation Planner	Recreation, Wilderness, Visual, ACEC
Ken Reed	Forester	Forestry
Ed Skerjanec	Fire Management Officer	Fire
John Smeins	Hydrologist	Hydrology, Water Quality/Rights
Melissa Smeins	Geologist	Minerals, Paleontology
Dave Toelle	Fire Ecologist	Air, Vegetation
Martin Weimer	Archaeologist	Cultural, Native American
Jeff Williams	Range Management Spec.	Range, Vegetation
Cora Whisenhunt	Park Ranger	Transportation and Access
Martin Weimer	Environmental Justice	Environmental Coordination

## **FONSI**

### **DOI-BLM-CO-200-2009-0023 EA**

Based on review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects from any alternative assessed or evaluated meet the definition of significance in context or intensity, as defined by 43 CFR 1508.27. Therefore, an environmental impact statement is not required. This finding is based on the context and intensity of the project as described below.

#### **RATIONALE:**

##### **Context:**

The grazing allotment in the proposed action exists geographically in the Arkansas River Valley, directly east of the town of Buena Vista and on the east side and adjacent to the Arkansas River. The allotment is bordered on the south by Trout Creek and Highway 285. The area is characterized by rugged piñon/juniper covered hills and the allotment is host to biking and hiking trails as well as the historic Midland Railroad Grade. The allotment is drained by Fourmile/Sevenmile Creek in the north, the only perennial stream and a number of intermittent flowing streams that either flow directly or indirectly into the Arkansas River. Populations are small, the town of Buena Vista being the only small community with the remainder of the population existing as scattered ranches and mountain subdivisions. The area being a scenic tourist destination and the allotment's direct connection to the Arkansas River and its use as both a domestic and agricultural water source for large populations downstream elevates this action to one of regional importance.

##### **Intensity:**

**Impacts that may be beneficial and adverse:** Through the land health assessments and environmental analysis, adverse impacts to the allotments and the environment can be managed and mitigated. The benefits of these analyses that are reflected in the proposed action are better cattle distribution and management, and healthier riparian vegetation. An increase in riparian vegetation promotes and maintains a fishery in wet years, provides cover for a multitude of species and protects stream banks from erosion. Better cattle distribution prevents vegetation trampling and protects riparian areas which decreases stream sedimentation and provides additional wildlife forage and cover.

**Public health and safety:** The proposed action reflects analyses and management practices that does the most to protect important water supplies by preventing erosion and stream sedimentation. The seasonal management and the distribution of cattle proposed in this action helps prevent sediment flow into the streams flowing into the Arkansas River. The proposed action creates no adverse affects to air quality, doesn't facilitate illegal dumping and will protect riparian resources, so there are no adverse impacts to public health or safety.

**Unique characteristics of the geographic area:** The EA evaluated the area of the proposed action and determined that no unique geographic characteristics such as: wild and scenic rivers, prime or unique farmlands, areas of critical environmental concern or designated wilderness areas or wilderness study areas; were present.

**Degree to which effects are likely to be highly controversial:** There is no disagreement or controversy among ID team members or reviewers over the nature of the effects on resource values in the proposed action.

**Degree to which effects are highly uncertain or involve unique or unknown risks:** BLM has a long history of managing public lands for multiple-use. Grazing is one part of that multiple-use mandate. Given the BLM's institutional knowledge on this subject, all risks were considered in the EA and were found to be neither unique nor unknown.

**Consideration of whether the action may establish a precedent for future actions with significant impacts:** The proposed action does establish a standard of precedent for the permit renewal process, in that there is comprehensive review of all resource values and land health standards are either met or exceeded.

**Consideration of whether the action is related to other actions with cumulatively significant impacts:** Besides livestock grazing the area included in the Midland allotment plays host to numerous hiking and biking trails as well as a few roads open to OHV use. The BLM manages for cumulative impacts and monitors their effects through the land health assessment process. If it is determined that such impacts are occurring from this combined use, mitigation measures are pursued and steps taken to alleviate stress to the environment.

**Scientific, cultural or historical resources, including those listed in or eligible for listing in the National Register of Historic Places:** Based on data collected during analysis and considering alternative actions, livestock impacts from general grazing activities to cultural resources are expected to be minimal. Three sites, 5CF354, the Midland Railroad Grade, 5CF158, a historic arrastra and 5CF2367 a small prehistoric stone enclosure are eligible to the National Register of Historic Places, but none are adversely affected by grazing activities.

**Threatened and endangered species and their critical habitat:** With the current AMP Land Health Standards are being met and there are no grazing related resource issues. Changing the season of use to winter would be an improvement to the current use and benefit resources even more. Although the south pasture would still be grazed in the spring every other year, it has always only received light use. This is also the case with riparian areas on Fourmile and Sevenmile Creeks. Re-authorizing this grazing permit with the proposed changes will not impact T&E or BLM sensitive species in this area.

**Any effects that threaten a violation of Federal, State or local law or requirements imposed for the protection of the environment:** The proposed action conforms with the provisions of NEPA (U.S.C. 4321-4346) and FLPMA (43 U.S.C. 1701 et seq.) and is compliant



with the Clean Water Act and The Clean Air Act, the National Historic Preservation Act and the Endangered Species Act.

MITIGATION MEASURES:

- Monitor grazing use along riparian areas and ensure livestock are removed at the end of the grazing period.
- Provide compliance to make sure pastures are used as scheduled, monitor utilization, and all water facilities are working at full performance.
- Document reported and observed conflicts between livestock and recreation users. Consider moving salt, mineral, and protein tub locations to reduce conflicts if necessary.

COMPLIANCE/MONITORING (optional):

- Compliance with the terms and conditions of the grazing permit including numbers of livestock authorized grazing dates and collection of actual use monitoring data.
- The accuracy of current estimates of the carrying capacity of public land.

NAME OF PREPARER: Jeff Williams

SUPERVISORY REVIEW: Paul Trentzsch /S/ March 12, 2009

NAME OF ENVIRONMENTAL COORDINATOR: Martin Weimer

DATE: 3/13/09

SIGNATURE OF AUTHORIZED OFFICIAL: \_\_\_\_\_  
Roy L. Masinton, Field Manager

DATE SIGNED: \_\_\_\_\_